



U.S. General Services Administration

Office of Governmentwide Policy

Motor Vehicle Management Policy

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Motor Vehicle Policy

GSA Office of Government-wide Policy

Framework

- **Law**
- **Regulation**
- **Bulletin**
- **Agency Policy**
- **Executive Order**
- **OMB Circular**
- **Comptroller General Decisions**
- **Office of General Counsel Guidance**
- **Informed Decision-making**

Law

- **Federal Property & Administrative Services Act 1949 (as amended) = Statutory law**
 - **Established the General Services Administration**
 - **Provides GSA broad authorities for property management and oversight**
 - **Authorizes GSA to issue regulations that are published in the Code of Federal Regulations (CFR) and are considered administrative law**

Sources of Information

- **Federal Register** (www.gpoaccess.gov/fr)
 - daily publication site for Executive Orders, Regulations, Agency notices, etc.
- **Code of Federal Regulations**
(www.gpoaccess.gov/cfr)
 - integrated publication of permanent rules (50 titles)
- **Federal Property Management Regulation & Federal Management Regulation (FPMR & FMR)**
(www.gsa.gov/fmr)
- **Federal Acquisition Regulation (FAR)**
(www.gsa.gov/far)
- **Individual Agency Regulation**

Regulation

Federal Property Management Regulation & Federal Management Regulation (FPMR & FMR)

- **41 CFR 101-26.501 (Purchase of New Motor Vehicles)**
- **41 CFR 101-39 (Interagency Fleet Management Systems = GSA Fleet)**
- **41 CFR 102-5 (Home-to-Work Transportation)**
- **41 CFR 102-34 (Motor Vehicle Management)**
- **41 CFR 102-39 (Replacement of Personal Property Pursuant to the Exchange/Sale Authority)**

41 CFR 102-34 (Motor Vehicle Management)

- **Final Rule published in Federal Register on March 20, 2009**
 - **Authority to Transport Federal Employees Between Their Place of Employment and Mass Transit Facilities (SAFETEA-LU)**
 - **Fleet MIS (Data requirements, implementation timetable) – Bulletin B-15 issued**
 - **Revise the Unlimited exemption for the display of tags to cover investigative, law enforcement, intelligence, or security duties – Limited exemption extended to three years**
 - **Vehicle Registration System**

41 CFR 102-34 (Motor Vehicle Management)

- **Final Rule published in Federal Register on December 8, 2011**
 - **Adjusted definition of a “rental” from less than 60 days to less than 120 days**
 - **For agencies who have temporary mission requirement of more than 60 days but less than 120 days**

41 CFR 102-34 (Motor Vehicle Management)

- **Plain language, question/answer format**
- **Defines terms (vehicle types, sources of supply, etc.)**
- **Defines scope (Military design vehicles excluded, law enforcement vehicles excluded from most provisions)**

Subpart B - Obtaining Fuel Efficient Motor Vehicles

- **Purchase and lease vehicles that achieve maximum fuel efficiency**
- **Have body types, engine sizes, and options essential to agency mission**
- **Establish and document a structured vehicle allocation methodology**
- **Fleet average fuel economy standards published each year by the Department of Transportation (www.dot.gov)**

Subpart C - Identifying & Registering Motor Vehicles

- **Display identification that indicates:**
 - “For Official Use Only” & “U.S. Government”
 - Identification of the agency or service that owns or leases the vehicle (seal or tag code)
 - Federal license plate is the preferred location
- **Register vehicles in the Federal Motor Vehicle Registration System- Agency Fleet Manager coordinates this effort.**

Subpart C - Identifying & Registering Motor Vehicles

Obtain U. S. Government license plates from Federal Prison Industries (UNICOR)

- Include the letter code assigned to the agency that owns the vehicle**
- Display on front and rear of vehicle**
- DC based vehicles = Require U.S. Govt. plates unless exempt**

Subpart C - Identifying & Registering Motor Vehicles

Exemptions to Government license plates and identification:

- Limited (Agency head authorizes, up to three years) can now include administrative vehicles**
- Unlimited (investigative, law enforcement, intelligence, or security duties)**
- Special (President & heads of Executive Departments)**

Subpart D- Official Use of Government Vehicles

Official Use is:

**Using a motor vehicle to perform
your agency's mission(s), as
authorized by your agency**

Subpart D - Official Use of Government Vehicles

Misuse of Government motor vehicles:

- Incidents reported to employing agency
- Minimum one month suspension, up to removal



Subpart D- Official Use of Government Vehicles

Driver responsibilities:

- **Operate, park, store, and lock as appropriate to prevent theft or damage**
- **Obey all State and Local traffic laws**
- **Use all safety devices including seat belts**
- **Pay any parking fees and fines**

Subpart E - Replacement of Motor Vehicles

Minimum replacement standards:

- **Sedans - 3 years/60,000 miles**
- **Buses - Mileage only**
- **Trucks - By class, 6 years/50,000 miles minimum**

Subpart F - Scheduled Maintenance of Motor Vehicles

Requires scheduled maintenance programs:

- **Meet emission standards**
- **Meet warranty requirements**
- **Ensure safe & economical operation**
- **Meet manufacturer recommendations**

Subpart G - Motor Vehicle Crash Reporting

Report crashes as follows:

- SF 91 - “Motor Vehicle Accident Report”**
- SF 94 - “Statement of Witness”**
- Follow internal agency directives for owned & leased vehicles**
- Report crashes of GSA Fleet vehicles to GSA Fleet**

Subpart H - Disposal of Motor Vehicles

Transfer ownership as follows:

- **SF 97-1 - “U.S. Government Certificate to Obtain Title to a Motor Vehicle” (Other forms may be required by jurisdiction)**

Consult the following regulations for detailed instruction:

- **41 CFR Part 102-38 “Sale of Personal Property”**
- **41 CFR Part 102-39 “Replacement of Personal Property Pursuant to the Exchange/Sale Authority”**

Subpart I - Motor Vehicle Fueling

Obtain fuel by:

Government charge card, fuel facility, or reimbursement (See OMB Circular A-123 for Gov't. charge card guidance)

Refuel using:

The fuel type & minimum grade recommended by the vehicle manufacturer

Subpart J - Federal Motor Vehicle Fleet Report

The Federal Fleet Report compiles:

- Inventory, Acquisition, Cost, Mileage and Fuel Use data for Federal motor vehicles**
- Reported annually through the Federal Automotive Statistical Tool (FAST) at: <http://fastweb.inel.gov>**

FAST also used to submit data for Energy Policy Act (DOE) & OMB Circular A-11 Budget (OMB)

Regulatory Bulletins

Informational in nature – Guidance, not mandates

- **FMR B-1 Acquisition and display of official U.S. Government license plates and other motor vehicle identification**
- **FMR B-2 Use of hand-held wireless telephones**
- **FMR B-3 Use of tobacco products in motor vehicles**
- **FMR B-6 Proceeds from sale of agency-owned vehicles**
- **FMR B-11 U.S. Government License Plate Codes**
- **FMR B-15 Requirements for MIS in Federal Vehicle Fleets**
- **FMR B-19 Increasing the Fuel Efficiency of the Federal Motor Vehicle Fleet**
- **FMR B-28 Federal Employee Transportation and Shuttle Services**
- **FMR B-29 Accurately Reporting Passenger Vehicle Inventory in FAST**
- **FMR B-30 Vehicle Allocation Methodology for Agency Fleets**
- **FMR B-31 Government Motor Vehicle Fueling During Market Shortages**
- **FMR B-32 Posting Executive Fleet Vehicles on Agency Websites**
- **FMR B-33 Alternative Fuel Vehicle Guidance for Law Enforcement and Emergency Vehicle Fleets**
- **FMR B-35 Home to Work Transportation**

41 CFR 102-5 Home to Work

- **Most recent change in §102-5.20**
- **Rewritten to exclude employees using vehicles in conjunction with official travel from coverage by the regulation**
- **Also updated to indicate that employee use of vehicles between work and mass transit facilities is not covered by the regulation**
- **This reflects provisions in Public Law 109-59**

Miscellaneous Non-Energy Related

- **Executive Order-** 2009- FEDERAL LEADERSHIP ON REDUCING TEXT MESSAGING WHILE DRIVING
 - **Agency issued internal guidance**
 - **FAR Citation-** Encouraging Contractor Policies to Ban Text Messaging While Driving


- **Presidential Memo on Federal Fleet Performance**

Where do I go for policy questions in my agency?

- Agency Fleet Manager
- Agency General Counsel's office
- Agency Directives and Guidance Documents

Conclusion

- Regulations are a formal policy communications tool
- The process relies on continual feedback
- Send comments to: vehicle.policy@gsa.gov
- Stay in touch & sign up for Email notifications at:
www.gsa.gov/fedfleetenroll

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Vehicle Management

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Overview

- Federal Fleet Policy Council
- Exchange/Sale of Motor Vehicles
- FedFleet Workshops
- Fleet Manager of the Year Awards
- Shuttles to Transport Employees
- Vehicle Management Library
- Wheels & Wings Archives
- Wheels & Wings Newsletter
- Who is my Agency Fleet Manager?

Motor Vehicle Management Overview

Motor vehicle management policy seeks to improve management and enhance the performance of the motor vehicle fleets operated by federal agencies.


These efforts involve:

- Continuous evaluation of federal motor vehicle management programs and policies;
- Examining new technologies and automated systems;
- Analyzing the impact of current and proposed regulations, laws, Executive Orders, and international agreements;
- Facilitating the Federal Fleet Policy Council (FEDFLEET); and
- Education and training of federal fleet management professionals.

Motor Vehicle Management Resources

- [Federal Travel Regulation \(FTR\)](#)
- [Federal Management Regulation \(FMR\)](#)
- [FY 2008 Federal Fleet Report](#)
- [Vehicle Views Newsletter - Past Editions](#)
- [Guide to Federal Fleet Management](#)
- [Join the Federal Fleet Policy Council \(FEDFLEET\)](#)
- [Access the latest Motor Vehicle Management Advisory Bulletins](#)
- [Exhibit 300 Aircraft and Motor Vehicle Capital Asset Planning Desk Guide](#)

The shortcut to this page is www.gsa.gov/vehiclepolicy.

 [Printer Friendly format](#)

CONTACTS

Vehicle Policy
vehicle.policy@gsa.gov
[View Contact Details](#)

Additional Contacts For Federal Vehicle Policy

REFERENCE

- [Guide to Federal Fleet Management](#)
- [Executive Order 13423](#)
- [Fleet Reports](#)

RELATED GSA TOPICS

- [GSA Fleet - Leading the Way](#)
- [GSA Automotive - Buying Vehicles](#)

GOVERNMENT LINKS

- [Alternative Fuels Data Center](#)
- [EPACT Federal Fleet Requirements](#)
- [Federal Automotive Statistical Tool](#)
- [National Highway Traffic Safety Administration](#)

NONGOVERNMENT LINKS

Last Reviewed 2/19/2009

Frequently Asked Questions

- Can I use my GOV to?
- Can I drive my vehicle home for TDY purposes?
- Can I drive my GOV into Canada or Mexico?
- Can my spouse accompany me in a GOV?
- Can a contractor drive a GOV?
- What is the policy on cell phone use in a GOV?
- Where do I report misuse of a GOV?
- Where do I go for policy questions in my agency?
- Can I use the express or hot lane in a GOV?

Can I use my GOV to?

- Official use is using a motor vehicle to perform your agency's mission(s), as authorized by your agency.
- Contact your Agency Fleet Manager and/or General Counsel's office for policy guidance.
- Personal Liability is determined by the Justice Dept. and base their decisions on State case law.
- Incidental use is a taxable benefit reported to the IRS.
www.irs.gov/pub/irs-tege/fringe_benefit_fslg.pdf
- Perception- how would a taxpayer view the use of the vehicle?

Can I drive my GOV into Canada or Mexico?

- Many foreign countries do not recognize the U.S. Government self-insurance
- If your agency is not covered under a SOFA or other diplomatic treaty which specifically addresses liability issues.
- General Counsel's office of GSA has determined that an agency must purchase additional liability insurance to operate vehicles in foreign countries
- The Federal Torts Claims Act does not protect Federal employees outside the United States
- Contact your agency's General Counsel's office for assistance
- If short duration trips, consider commercial rentals that are inclusive of insurance in foreign countries.

Can my spouse accompany me in a GOV?

- Agency policy
- Considerations:
 - Agency liability
 - Only Federal employees are covered under the Federal Tort Claims Act
 - Is a Federal employee being displaced?
 - Perception- if in doubt, use your POV!

Can a contractor drive a GOV?

➤ Regulations:

- 41 CFR 102-34.21
- FAR Subpart 51.2- Contractor Use of GSA Fleet Vehicles
- 41 CFR 101-39.202 Contractor Authorized Services

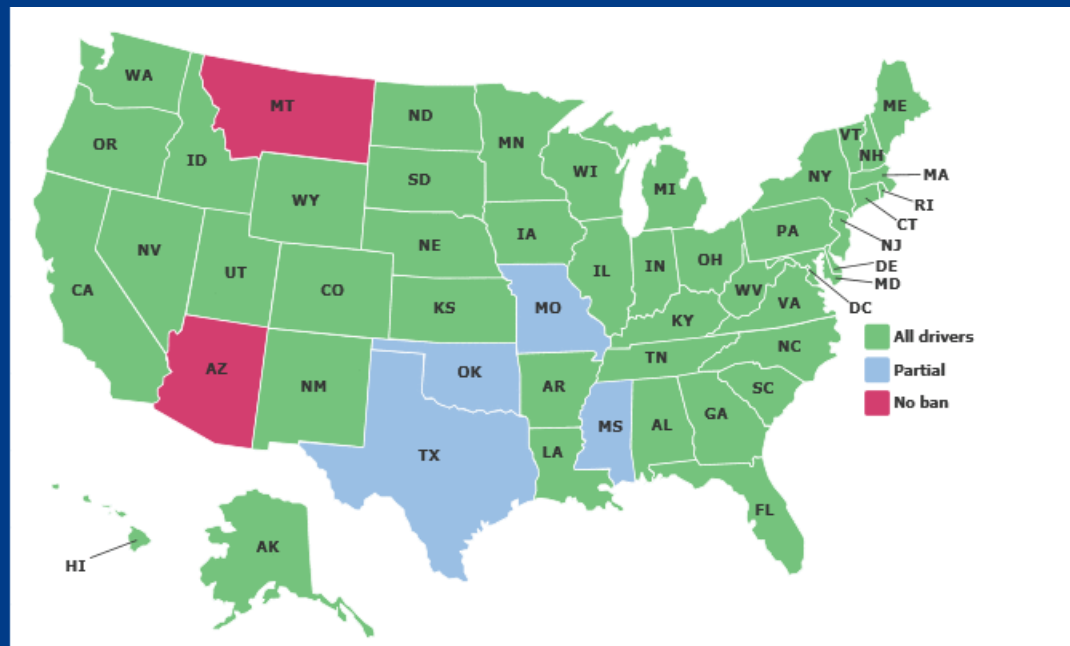
➤ Considerations:

- Has the contracting officer authorized use of GOV's?
- Liability- Does the contractor have insurance and certified their drivers have the correct State issued licensed for the vehicle they are operating?
- What is my agency's written policy on Contractor use of GOV's?

What is the policy on cell phone use in a GOV?

- EO 13513 prohibits:
 - texting while driving a GOV
 - texting in a POV if using government furnished equipment
- FMR Bulletin-B2 advised agencies to develop a policy recommending use of wireless devices
- Many agencies have more restrictive policies on using devices while driving a GOV
- Federal employees must obey all State and local laws and ordinances while driving a GOV

What is your locality or State law?



<http://www.iihs.org/iihs/topics/laws/cellphonelaws?topicName=distracted-driving>

<http://www.distraction.gov>

Where do I report misuse of a GOV?

- Vehicle.policy@gsa.gov
- howsmydriving@gsa.gov
- Agency Fleet manager: www.gsa.gov/vehiclepolicy
- What do I need to report?
 - License plate number
 - The date and time of the activity being reported
 - The location where the activity occurred (name of the city, street, highway, mile marker, direction of travel)
 - Activity that is the cause of your concern
 - Description of vehicle
 - Description of driver and passengers

OPM Regulates Drivers, not GSA

CFR Title 5 PART 930—

**PROGRAMS FOR SPECIFIC POSITIONS AND
EXAMINATIONS (MISCELLANEOUS)**

Subpart A—Motor Vehicle Operators

- **Definitions**
- **Medical Evaluations**
- **Authorizations**
- **Corrective Actions**

Where do I go for policy questions in my agency?

- Agency Fleet Manager
- Agency General Counsel's office
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Thank You

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